

AO 91 (Rev. 5/85) Criminal Complaint

# United States District Court

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

PETER CLARK  
147 South Elm Street  
Bradford, Massachusetts

## CRIMINAL COMPLAINT

CASE NUMBER: 02-M00072-LPC

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 25, 2002 in Suffolk county, in the District of Massachusetts defendant(s) did, (Track Statutory Language of Offense) move or travel in interstate or foreign commerce with intent to avoid prosecution

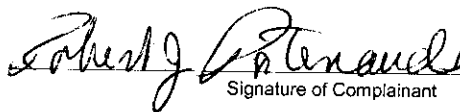
in violation of Title 18 United States Code, Section(s) 1073

I further state that I am a(n) Special Deputy U.S. Marshal and that this complaint is based on the following facts:  
Official Title

On January 25, 2002, the defendant escaped from the Southeastern Correctional Center located in Bridgewater, Massachusetts while serving a maximum 10 year sentence on the charge of Trafficking Cocaine (100 grams or more) and was charged with the crime of Escape by Complaint filed in Brockton District Court, all as is more fully set forth in the attached affidavit, incorporated herein by reference.

Continued on the attached sheet and made a part hereof:

☒ Yes☐ No

  
Signature of Complainant

Sworn to before me and subscribed in my presence,

2/26/02  
Date

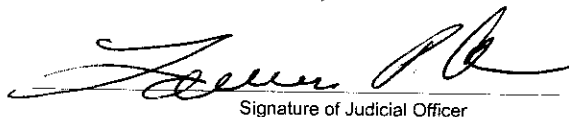
at

Boston, Massachusetts

City and State

United States Magistrate Judge Lawrence P. Cohen

Name &amp; Title of Judicial Officer

  
Signature of Judicial Officer

AFFIDAVIT

Boston, Massachusetts

February 21, 2002

I, ROBERT J. PATENAUDE, Special Deputy United States Marshal, FEDERAL BUREAU OF INVESTIGATION (FBI), being duly sworn, upon my oath depose and state:


1. The FBI has been requested to assist the Massachusetts Department of Corrections in the location and apprehension of PETER CLARK.

2. I have been informed by PAUL DEVLIN, Sergeant, Massachusetts Department of Correction, Fugitive Apprehension Unit, as follows:

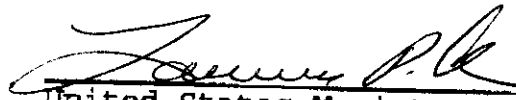
- a. PETER CLARK was charged with the crime of Escape, by Complaint filed in Brockton District Court on January 25, 2002;
- b. The crime of Escape is a felony under Massachusetts General Laws, Chapter 268, Section 16;
- c. On January 25, 2002, an arrest warrant was issued by the Brockton District Court for the apprehension of PETER CLARK;
- d. Law enforcement efforts to locate PETER CLARK within the Commonwealth of Massachusetts have been unsuccessful;

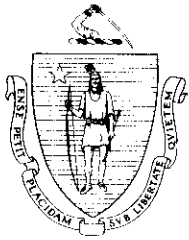
TOTAL P.03

- e. It is believed that PETER CLARK has fled the Commonwealth of Massachusetts because investigation by local authorities indicates he may have fled to New Hampshire;
  - f. The Commonwealth of Massachusetts will rendite PETER CLARK if he is apprehended outside the District of Massachusetts;
3. Attached hereto and made a part hereof are certified copies of the following:
- a. Complaint and arrest warrant.

  
ROBERT J. PATENAUDE  
Special Deputy U.S. Marshal

Subscribed and sworn to before me this 26<sup>th</sup> day of  
February, 2002.

  
United States Magistrate Judge



Jane Swift  
Governor

James P. Jajuga  
Secretary

*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety*  
*Department of Correction*  
*50 Maple Street, Suite 3*  
*Milford, Massachusetts 01757-3698*  
*(508) 422-3300*  
*www.magnet.state.ma.us/doc*



Michael T. Maloney  
Commissioner

Kathleen M. Dennehy  
Deputy Commissioner

Mr Michael Sullivan, U.S. Attorney  
United States Attorney's Office  
John McCormack Post Office and Courthouse  
Boston, Massachusetts

**RE: REQUEST FOR UNLAWFUL FLIGHT TO AVOID PROSECUTION ON  
PETER CLARK; WHITE/MALE; DOB/070359; POB/NEWBURYPORT,  
MA; SSN/023596220; FBI/306963AA0; HT/5'7"; WT/170; HAI/BLK; EYE/  
BRO; LKA/147 SOUTH ELM STREET BRADFORD, MASSACHUSETTS**

Dear Mr. Sullivan:

The Massachusetts Department of Correction is making formal application for the issuance of an Unlawful Flight to Avoid Prosecution warrant on the above subject. The subject was convicted and sentenced to a term of a minimum of 10 years and a maximum of 10 years and 1 day on March 23, 1998. In the Essex Superior Court on the charge of Trafficking Cocaine (100 grams or more).

On January 25, 2002, the subject escaped from the Southeastern Correctional Center, a minimum security facility located in Bridgewater. On January 25, 2002 warrant number (0215CR000651) was issued in the Brockton District charging the subject with Escape, a violation of Massachusetts General Law Chapter 268 Section 16.

Information has been developed, by the Massachusetts Department of Correction Fugitive Apprehension Unit, which indicates, the subject has fled the Commonwealth of Massachusetts. The Fugitive Apprehension Unit maintains a complete investigative file in this regard. If the subject is apprehended, Massachusetts will rendite nationwide and will prosecute the subject to the full extent of the law. If you have any questions in this matter, please do not hesitate to contact me.

Respectfully submitted,

Paul J. Devlin, Sergeant  
Massachusetts DOC Fugitive Unit

CLARK, PETER - W5692342  
Commonwealth of Massachusetts - Criminal Justice Information System  
Trial Court of Massachusetts - Warrant Management System  
Massachusetts General Laws ch.276 s.23A this is a TRUE WARRANT on  
the person named herein as contained in the Warrant Management System and  
printed via Criminal Justice Information System.  
This Warrant Printed as of 10:38 on 02/14/02

Defendant Information:

Name: CLARK, PETER SS#: 023596220  
Address: 147 S ELM ST Race: W Sex: M  
City: BRADFORD MA 01835 Hair: BRO Eyes: BRO  
Weight: 170 Height: 5'07"  
Complexion: LGT Marks:  
Date of Birth: 07/03/1959 Place of Birth: MA Date of Emancipation: 00/00/0000  
Father: Mother:  
Known Alias: Ref No: W5692342  
License No: 013426124 Misc No:  
License State: MA Obtn No: CC No:

Warrant Information:

Issue Date: 01/25/2002 Court of Issue: 15 - BROCKTON DISTRICT Docket: 0215CR000651  
Type: S - STRAIGHT 105636  
Date of Complaint: 01/25/2002  
Offense Date: 01/25/2002 Offense Location: BRIDGEWATER

\*\*\*\*\* Charges \*\*\*\*\*  
Count Offense Code Description  
1 F 268/16/A ESCAPE FROM PENAL INSTITUTION/COURT c268 S16

Information: DO NOT RELEASE

Service To: D37 - MCI BRIDGEWATER CORR  
Printed by: D34 - BOSTON - DOC - DEPUTY COMMISS  
Fine Amount:  
Bail Amount:  
Non-bailable  
Name: NAGLE, DAVID G  
Date/Time: 00/00/0000 00:00 Recall Date/Time: 00/00/0000 00:00

TO ANY OFFICER AUTHORIZED TO SERVE CRIMINAL PROCESS:

The court has ordered that the above warrant issue against the  
above defendant.

Therefore you are hereby commanded to arrest the above named  
defendant and bring the defendant forthwith before this court  
to answer to the offense(s) listed above and to be dealt with  
according to law.

Return of Service: By virtue of this warrant, I certify that:

☐ The defendant has been arrested as ordered by the court  
☐ I am returning the warrant without service to the court

Date of Arrest	Signature of Person Making Service	Title of Person Making Service	Department If different
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Subscribed to and sworn before me  
this 14th day of February 2002  
Robert A. Wooster, Notary Public  
My commission expires Apr. 25, 2008

COMMONWEALTH OF MASSACHUSETTS.

ESSEX, SS.

To the Sheriff of the County of Essex, or any of his Deputies, and to the Superintendent of the Massachusetts Correctional Institution, Cedar Junction.

GREETING:

WHEREAS, by the consideration of the Superior Court holden within and for said County of Essex, on the 23<sup>rd</sup> day of March, A.D. 1998.

of *Haverhill* in said County of Essex.

now in custody of said Sheriff, convict of the crime of

*Taghach is certain (100+ years)*

was sentenced to be confined at hard labor, in the Massachusetts Correctional Institution, Cedar Junction, for a term of not less than *ten* years and not more than *ten years and one day* years, and to stand committed according to said sentence.

ORDER: Prisoner deemed to have served - *691* - days as a portion of said sentence under provisions of G. L. Chap. 279, Sec. 33a.

WE THEREFORE, COMMAND you, the said Sheriff or your said Deputies to remove the said convict from either of the jails in said County of Essex to said Massachusetts Correctional Institution, Cedar Junction; and We COMMAND you the Superintendent of said Massachusetts Correctional Institution, Cedar Junction, to receive him, and immediately thereon to cause him to be confined therein as aforesaid; and for so doing this shall be your warrant.

And you, said Sheriff, are to make return of this Warrant, with your doings therein, to the office of the Clerk of said Court, in said County of Essex, as soon as may be.

Witness: Robert A. Mulligan, Chief Justice of our Superior Court, at Salem, on the day and date aforesaid.

Subscribed to and sworn before me  
this 26<sup>th</sup> day of February 2002  
Robert A. Wooster, Notary Public  
My commission expires Apr. 25, 2008

A TRUE COPY, ATTEST:  
Clerk of Court  
ASSISTANT CLERK

**Criminal Case Cover Sheet**

**U.S. District Court - District of Massachusetts**

Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency FBI

City Boston

**Related Case Information:**

County Suffolk

Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**

Defendant Name Peter Clark Juvenile: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address 147 South Elm Street, Bradford, MA

Birthdate: 7/3/59 SS # 023-59-6220 Sex: M Race: Wh Nationalit USA

**Defense Counsel if known:**

Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**

AUSA Lori J. Holik Bar Number if applicable \_\_\_\_\_

Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_

Matter to be SEALED: ☒ Yes ☐ No

☒ Warrant Requested ☐ Regular Process ☐ In Custody

**Location Status:**

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_  
☐ Already in State Custody at \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial  
☐ On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_

Charging Document: ☒ Complaint ☐ Information ☐ Indictment

Total # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony \_\_\_\_\_

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 2-25-02 Signature of AUSA: Lori J. Holik